

International Trade Administration, Commerce

Pt. 351, Annex VIII-C

ANNEX VIII-A TO PART 351—SCHEDULE FOR 90-DAY SUNSET REVIEWS

Day ¹	Event	Regulation
0	Initiation	§ 351.218(c)
15	Filing of Notice of Intent to Participate by domestic interested parties.	§ 351.218(d)(1)(i) (not later than 15 days after the date of publication of the Notice of Initiation)
20	Notification to the ITC that no domestic interested party has responded to the Notice of Initiation.	§ 351.218(d)(1)(iii)(B)(2) (normally not later than 20 days after the date of publication of the Notice of Initiation)
30	Filing of substantive response to the Notice of Initiation by all interested parties and industrial users and consumers.	§§ 351.218(d)(3)(i) and 351.218(d)(3)(vi) (not later than 30 days after the date of publication of the Notice of Initiation)
35	Filing of rebuttal to substantive response to the Notice of Initiation.	§ 351.218(d)(4) (not later than 5 days after the substantive response is filed with the Department)
40	Notification to the ITC that no domestic interested party has responded to the Notice of Initiation (based on inadequate response from domestic interested parties).	§ 351.218(e)(1)(i)(C)(2) (normally not later than 40 days after the date of publication of the Notice of Initiation)
90	Final determination revoking an order or terminating a suspended investigation where no domestic interested party responds to the Notice of Initiation.	§§ 351.218(d)(1)(iii)(B)(3) and 351.222(i)(1)(i) (not later than 90 days after the date of publication of the Notice of Initiation)

¹ Indicates the number of days from the date of publication in the FEDERAL REGISTER of the Notice of Initiation.

[63 FR 13524, Mar. 20, 1998]

ANNEX VIII-B TO PART 351—SCHEDULE FOR EXPEDITED SUNSET REVIEWS

Day ¹	Event	Regulation
0	Initiation	§ 351.218(c)
15	Filing of Notice of Intent to Participate by domestic interested parties.	§ 351.218(d)(1)(i) (not later than 15 days after the date of publication of the Notice of Initiation)
30	Filing of Statement of Waiver by respondent interested parties.	§ 351.218(d)(2)(i) (not later than 30 days after the date of publication of the Notice of Initiation)
30	Filing of substantive response to the Notice of Initiation by all interested parties and industrial users and consumers.	§§ 351.218(d)(3)(i) and 351.218(d)(3)(vi) (not later than 30 days after the date of publication of the Notice of Initiation)
35	Filing of rebuttal to substantive response to the Notice of Initiation.	§ 351.218(d)(4) (not later than 5 days after the substantive response is filed with the Department)
50	Notification to the ITC that respondent interested parties provided inadequate response to the Notice of Initiation.	§ 351.218(e)(1)(i)(C)(1) (normally not later than 50 days after the date of publication of the Notice of Initiation)
70	Comments on adequacy of response and appropriateness of expedited sunset review.	§ 351.309(e)(ii) (not later than 70 days after the date of publication of the Notice of Initiation)
120	Final results of expedited sunset review where respondent interested parties provide inadequate response to the Notice of Initiation.	§§ 351.218(e)(1)(ii)(B) and 351.218(e)(1)(ii)(C)(2) (not later than 120 days after the date of publication of the Notice of Initiation)

¹ Indicates the number of days from the date of publication in the FEDERAL REGISTER of the Notice of Initiation.

[63 FR 13524, Mar. 20, 1998]

ANNEX VIII-C TO PART 351—SCHEDULE FOR FULL SUNSET REVIEWS

Day ¹	Event	Regulation
0	Initiation	§ 351.218(c)
15	Filing of Notice of Intent to Participate by domestic interested parties.	§ 351.218(d)(1)(i) (not later than 15 days after the date of publication of the Notice of Initiation)
30	Filing of Statement of Waiver by respondent interested parties.	§ 351.218(d)(2)(i) (not later than 30 days after the date of publication of the Notice of Initiation)
30	Filing of substantive response to the Notice of Initiation by all interested parties and industrial users and consumers.	§§ 351.218(d)(3)(i) and 351.218(d)(3)(vi) (not later than 30 days after the date of publication of the Notice of Initiation)
35	Filing of rebuttal to substantive response to the Notice of Initiation.	§ 351.218(d)(4) (not later than 5 days after the substantive response is filed with the Department)
110	Preliminary results of full sunset review	§ 351.218(f)(1) (normally not later than 110 days after the date of publication of the Notice of Initiation)
120	Verification in a full sunset review, where needed	§ 351.218(f)(2)(ii) (approximately 120 days after the date of publication of the Notice of Initiation)
160	Filing of case brief in full sunset review	§ 351.309(c)(1)(i) (50 days after the date of publication of the preliminary results of full sunset review)
165	Filing of rebuttal brief in full sunset review	§ 351.309(d)(1) (5 days after the time limit for filing a case brief)

Day ¹	Event	Regulation
167	Hearing in full sunset review if requested	§ 351.310(d)(i) (2 days after the time limit for filing a rebuttal brief)
240	Final results of full sunset review	§ 351.218(f)(3)(i) (not later than 240 days after the date of publication of the Notice of Initiation)
330	Final results of full sunset review if fully extended	§ 351.218(f)(3)(ii) (if full sunset review is extraordinarily complicated, period for issuing final results may be extended by not more than 90 days)

¹ Indicates the number of days from the date of publication in the FEDERAL REGISTER of the Notice of Initiation.

[63 FR 13525, Mar. 20, 1998]

PART 354—PROCEDURES FOR IMPOSING SANCTIONS FOR VIOLATION OF AN ANTIDUMPING OR COUNTERVAILING DUTY ADMINISTRATIVE PROTECTIVE ORDER

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AUTHORITY: 5 U.S.C. 301, and 19 U.S.C. 1677.

SOURCE: 53 FR 47920, Nov. 28, 1988, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 354 appear at 63 FR 24403, May 4, 1998.

§ 354.1 Scope.

This part sets forth the procedures for imposing sanctions for violation of an administrative protective order issued under 19 CFR 351.306, or successor regulations, as authorized by 19 U.S.C. 1677f(c).

[53 FR 47920, Nov. 28, 1988, as amended at 63 FR 24403, May 4, 1998]

§ 354.2 Definitions.

For purposes of this part:

Administrative protective order (APO) means an administrative protective order described in section 777(c)(1) of

the Tariff Act of 1930, as amended; APO Sanctions Board means the Administrative Protective Order Sanctions Board.

Business proprietary information means information the disclosure of which the Secretary has decided is limited under 19 CFR 351.105, or successor regulations;

Charged party means a person who is charged by the Deputy Under Secretary with violating a protective order;

Chief Counsel means the Chief Counsel for Import Administration or a designee;

Date of service means the day a document is deposited in the mail or delivered in person;

Days means calendar days, except that a deadline which falls on a weekend or holiday shall be extended to the next working day;

Department means the United States Department of Commerce;

Deputy Under Secretary means the Deputy Under Secretary for International Trade or a designee;

Director means the Senior APO Specialist or an office director under a Deputy Assistant Secretary, International Trade Administration, or a designee;

Lesser included sanction means a sanction of the same type but of more limited scope than the proposed sanction; thus a one-year bar on representations before the International Trade Administration is a lesser included sanction of a proposed seven-year bar;

Parties means the Department and the charged party or affected party in an action under this part;

Presiding official means the person authorized to conduct hearings in administrative proceedings or to rule on any motion or make any determination